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KONINKLIJKE PHILIPS ELECTRONICS N.V.
and U.S. PHILIPS CORP.

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA - WESTERN DIVISION

KONINKLIJKE PHILIPS
ELECTRONICS N.V. and U.S. PHILIPS
CORPORATION,

Plaintiffs,

v.

INTERNATIONAL DISC
MANUFACTURER, THOAI IU TANG
(D.B.A. "MORAN STREET
PARTNERS"), NATALIE DANG, TRI
MINH TANG, BOBBIE IM, and
CHARLOTTE TANG,

Defendants.

Case No. CV06-2468 ODW (SSx)

**[PROPOSED] ORDER
GRANTING PARTIES'
STIPULATION FOR DISMISSAL
AND DISBURSEMENT OF
FUNDS HELD PURSUANT TO
WRIT OF ATTACHMENT**

1 Having considered the Stipulation for Dismissal and Disbursement of Funds
2 Held Pursuant to Writ of Attachment filed by plaintiffs Koninklijke Philips
3 Electronics N.V. and U.S. Philips Corporation (collectively, “Philips”) and
4 defendants International Disc Manufacturer, Inc. (“IDM”), Thoai Iu Tang (“Thoai
5 Tang”), Tri Minh Tang (“Tri Tang”), Natalie Dang, Charlotte Tang and Bobbie Im
6 (collectively, “Defendants”), and for good cause appearing, IT IS HEREBY
7 ORDERED that:

8 (1) Philips hereby dismisses its claims against Natalie Dang, Charlotte
9 Tang and Bobbie Im pursuant to Federal Rule of Civil Procedure 41(a) with
10 prejudice.

11 (2) Philips hereby dismisses its claims against IDM, Thoai Tang, and Tri
12 Tang pursuant to Federal Rule of Civil Procedure 41(a) without prejudice.

13 (3) Each party will bear its own legal expenses, including without
14 limitation, attorneys’ fees and costs.

15 (4) Defendants hereby admit that, unless they obtain an express license
16 from Philips, they and their employees, agents, servants, and any persons or
17 entities in active concert or participation with them or each of them are
18 permanently enjoined from:

19 (a) making, replicating, selling, offering for sale, importing,
20 advertising, promoting, marketing, or otherwise disposing of Optical Discs,
21 including but not limited to CD Discs or DVD Discs (“Optical Discs”), or
22 discs no more than colorably different therefrom, during the respective terms
23 of any of the relevant patents associated with the Disc License Programs that
24 are essential to the manufacture and sale of Optical Discs as now or hereafter
25 identified on the Philips website at www.ip.philips.com (the “Essential
26 Patents”);

27 (b) inducing or contributing to another’s making, replicating,
28 selling, offering for sale, importing, advertising, promoting, marketing, or

1 otherwise disposing of Optical Discs, including but not limited to CD Discs
2 or DVD Discs, or discs no more than colorably different therefrom, during
3 the respective terms of any of the Essential Patents; and

4 (c) effecting assignments or transfers, forming new entities or
5 associations, or utilizing any other device for the purpose of circumventing
6 or otherwise avoiding the prohibitions set forth in subparagraphs (a)-(b),
7 above.

8 (5) Defendants hereby agree that any violation of this injunction shall be
9 civil contempt, and that in any contempt order to enforce this injunction, the Court
10 may impose compensatory damages that fully compensate Philips for Defendants'
11 contempt of this injunction, including:

12 (i) damages for patent infringement, trebled for willfulness;

13 (ii) all costs; and

14 (iii) all attorneys' fees.

15 (6) Defendants hereby agree that any funds held pursuant to Philips' Writ
16 of Attachment shall be paid directly to Philips to be distributed in accordance with
17 the provisions of the Master Settlement Agreement dated October 15, 2007, and
18 this order shall authorize the holder of the funds to distribute the same.

19
20 IT IS SO ORDERED.

21
22
23 Dated: February 14, 2008



The Honorable Otis D. Wright II
United States District Judge